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4 BILL NO. S-73-02-06

5 SPECIAL ORDINANCE NO. S- 29-73

6 AN ORDINANCE approving vacation of an  
7 alley between Oakland Street and Lot  
8 75 Third Papes Addition.

9 WHEREAS, Wermuth Enterprises, Inc. and Donald High  
10 have petitioned the City Plan Commission and the Common Council  
11 to approve the vacation of the following described alley street  
12 located within the City of Fort Wayne, Indiana, to-wit:

13 The Allen running East and West from Oakland  
14 Street to Lot 75 Third Papes Addition in the  
15 City Plat;

16 WHEREAS, the Plan Commission gave due notice of a public  
17 hearing on said petition and held said public hearing on October  
18 30, 1972, at 7:30 o'clock P.M.; and,

19 WHEREAS the Plan Commission following said public  
20 hearing approved said vacation on October 30, 1972;

21 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
22 THE CITY OF FORT WAYNE, INDIANA:

23 1. That the vacation of said public alley hereinabove  
24 described conforms to the general policy and pattern of develop-  
25 ment set out in the master plan of the City of Fort Wayne, Indiana;

26 2. That the vacation of said public alley hereinabove  
27 described be and the same is hereby approved; and,

28 3. That this Ordinance be forwarded to the Board of  
29 Public Works of the City of Fort Wayne, Indiana, for the action  
30 it deems advisable.

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APPROVED AS TO FORM  
AND LEGALITY.

*W. B. T. H.*  
CITY ATTORNEY

OK  
JAN 14 1973

Read the first time in full and on motion by Nuckols, seconded by V. Schmitt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 1973, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 2/13/73

Charles W. Whitman  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by V. Schmitt, and duly adopted, placed on its passage. Passed (~~1972~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Date: 3-27-73

Charles W. Whitman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. P-29-73 on the 27th day of March, 1973.

ATTEST:  
Charles W. Whitman  
CITY CLERK

(SEAL)  
W. J. Moses Jr.  
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Whitman  
CITY CLERK

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A. M., E.S.T.

Don J. Leand  
MAYOR

Bill No. S-73-02-06

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
approving vacation of an alley between Oakland Street  
and Lot 75 Third Papes Addition

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

John Nickols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga  
Paul M. Burns

Donald J. Schmidt

John Nickols  
Vivian G. Schmidt  
William T. Hinga  
Paul M. Burns  
D. Schmidt

CONCURRED IN  
DATE 3-27-73 CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

office of city plan commission

December 11, 1972

### COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

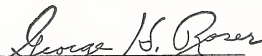
The alley running East and West from Oakland Street  
between the property known as Wermuth Enterprises,  
Inc., formerly Wermuth, Inc., and Lot 75 Third Papes  
Addition as described in the City Plat.

which was approved by the City Plan Commission at its regular meeting  
held November 27, 1972.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
11th day of December, 1972

  
\_\_\_\_\_  
George H. Roser  
Secretary

PETITION TO VACATE ALLEY

TO: THE CITY PLAN COMMISSION  
OF THE CITY OF FORT WAYNE, INDIANA

AND

THE COMMON COUNCIL  
OF THE CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned Petitioners, Wermuth Enterprises, Inc., formerly Wermuth, Inc., and Donald High hereby respectfully petitions The City Plan Commission and The Common Council of the City of Fort Wayne to hold a public hearing and to approve the vacation of the following described alley located within the City of Fort Wayne, Indiana, to wit:

The alley running East and West from Oakland Street between the property known as Wermuth Enterprises, Inc., formerly Wermuth, Inc. and Lot 75 Third Papes Addition as described in the City Plat.

Petitioner represents that:

- (1) Petitioner is Owner of all of the real estate  
in the block above described containing all the  
real estate abutting on said alley;
- (2) Said alley is now only lightly travelled and has  
not been heavily used for any public thoroughfare  
purposes for the past many years.
- (3) There is presently located in said alley a combination storm and sanitary sewer as well as a utility line;
- (4) If the vacation of the alley is approved, the petitioner is willing to grant easements for the continuance of the sewer line and utility line above described;
- (5) Petitioner has filed with the Board of Public Works a petition for vacation of the above described alley, which is presently pending before said Board awaiting disposition and the approval of this petition;

(6) Petitioner files this petition pursuant to the provisions of IC 18-7-5-46 (formerly Burns Indiana Statutes Annotated, Section 53-744), in order to insure the vacation of said alley is complete.

Dated this 22 day of Sept. 1972

WERMUTH ENTERPRISES, INC.

By Gertrude L. Steinbauer Secretary  
(Gertrude L. Steinbauer)

Address: 999 Ft. Wayne Natl. Bank Bldg.  
Ft. Wayne, Indiana 46802

Donald High  
(Donald High)

Address: 1027 Oakland Street  
Ft. Wayne, Indiana 46808

RESOLUTION

WHEREAS, Wermuth Enterprises, Inc., formerly Wermuth, Inc., and Donald High has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alley in Fort Wayne, Allen County, Indiana, to wit:

That alley running East and West from Oakland Street between the property known as Wermuth Enterprises, Inc., formerly Wermuth, Inc., and the property described in the City Plat as: Lot 75 Third Papes Addition.

all in accordance with the terms of IC 18-7-5-46 (formerly Burns Indiana Statutes Annotated, Section 53-744) and,

WHEREAS, notice of such public hearing has been given by the due and proper publication thereof; and,

WHEREAS, said public hearing was held on October 30, 1972 at 7:30 o'clock P.M., and that such hearing there were no objections of any kind or character which would prevent the vacation of said public alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and,

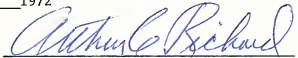
BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described be and the same is hereby approved; and,

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

I, Arthur C. Richard, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on October 30, 1972, and as the same appears of record in the official records of said Plan Commission.

Dated the 30th day of October 1972



Arthur C. Richard, President  
Fort Wayne City Plan Commission





M E M O R A N D U M

DATE: December 11, 1972  
TO: Ralph Blume  
FROM: Patsie Rumsey / City Plan Commission  
SUBJECT: VACATIONS

Attached are two (2) vacations. One for an east-west alley from Oakland Street, and the other is a portion of Glenwood Ave.

Both of these vacations were given approval by the City Plan Commission at their regular meeting held November 27, 1972.

These vacations will now have to be sent to the City Attorneys office to be prepared in ordinance form.

Thank you.

DIGEST SHEETTITLE OF ORDINANCE Vacation of an east-west alleyDEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE

The alley running East and West from Oakland Street between the propertyknown as Wermuth Enterprises, Inc., formerly Wermuth. Inc., and Lot 75Third Papes Addition as described in the City Plat

EFFECT OF PASSAGE

EFFECT OF NON-PASSAGE

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J.N.)

Regulations

# ORDINANCE CHECK-OFF SHEET

## INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

	BILL NO. <i>D-73-02-06</i>
	ORDINANCE NO. <i>D-29-73</i>
<input checked="" type="checkbox"/>	REGULAR SESSION <i>2-13-73</i>
	SPECIAL SESSION
	APPROVED AS TO FORM AND LEGALITY <i>Killed</i>
	BILL WRITTEN BY <i>City Plan Commission</i>
	DATE INTRODUCED <i>2-13-73</i>
	REFERRED TO SAID STANDING COMMITTEE <i>Kuchota Regulations</i>
	REFERRED TO CITY PLAN
	LEGAL PUBLIC HEARING
	LEGAL PUBLICATION
	JOINT HEARING
	DEPARTMENT HEARING
<input checked="" type="checkbox"/>	HOLD FILE
<input checked="" type="checkbox"/>	PASS <i>3-27-73</i>
	DO NOT PASS
	WITHDRAWN
	SUSPENSION OF RULES
	PRIOR APPROVAL
	ORDINANCE TAKEN OUT OF OFFICE
	OTHER INSTRUCTIONS REGARDING ORDINANCE
	CORRECTIONS MADE TO ORDINANCE
	PEOPLE SPEAKING FOR ORDINANCE
	PEOPLE SPEAKING AGAINST ORDINANCE

<input checked="" type="checkbox"/>	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	<i>City Plan Communications FROM <i>Deletion</i> to <i>restate</i> <i>all</i></i>
<input checked="" type="checkbox"/>	<i>Memo to Ralph Blum -</i> ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

*Digital Sheet*

### COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	<input checked="" type="checkbox"/>		
HINGA	<input checked="" type="checkbox"/>		
KRAUS	<input checked="" type="checkbox"/>		
MOSES	<input checked="" type="checkbox"/>		
NUCKOLS	<input checked="" type="checkbox"/>		
D. SCHMIDT	<input checked="" type="checkbox"/>		
V. SCHMIDT	<input checked="" type="checkbox"/>		
STIER	<input checked="" type="checkbox"/>		
TALARICO	<input checked="" type="checkbox"/>		

COMMENTS: *Held file*